

**UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ALABAMA  
NORTHEASTERN DIVISION**

**PAUL A. MASON,**

**Plaintiff,**

**v.**

**PETROLEUM SERVICE GROUP  
LLC d/b/a PETROLEUM  
SERVICE CORPORATION,**

**Defendant.**

**Case No.: 5:21-cv-01166-MHH**

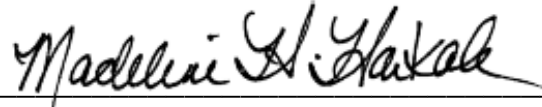
**ORDER**

On May 17, 2022, Mr. Mason filed an unopposed notice of dismissal with prejudice. (Doc. 16). The submission “gives notice of the dismissal of this action, with prejudice, pursuant to Rule 41(a)(1)(A)(ii).” (Doc. 16, p. 1). Rule 41(a)(1)(A)(ii) requires all parties who have appeared to sign a stipulation of dismissal. FED. R. CIV. P. 41(a)(1)(A)(ii). Because the plaintiff’s unopposed notice of dismissal with prejudice is not signed by defense counsel, the notice does not satisfy Rule 41(a)(1)(A)(ii).

The Court construes the notice under Rule 41(a)(2) which allows a district court to dismiss an action at the plaintiff’s request “by court order, on terms that the court considers proper.” FED. R. CIV. P. 41(a)(2). Consistent with the plaintiff’s

notice, the Court dismisses this matter with prejudice. The parties shall bear their own attorney fees, costs, and expenses.

**DONE** and **ORDERED** this May 25, 2022.

A handwritten signature in black ink, reading "Madeline H. Haikala", written over a horizontal line.

**MADELINE HUGHES HAIKALA**  
**UNITED STATES DISTRICT JUDGE**